



December 8, 2022

By ECF

Honorable Jesse M. Furman
United States District Judge
United States District Court
Southern District of New York
40 Centre Street, Room 2202
New York, NY 10007

Application GRANTED. The Clerk of Court is directed to terminate ECF No. 71.

SO ORDERED.

A handwritten signature in black ink, appearing to read "Jared E. Knicley".

December 8, 2022

Re: *NRDC et al. v. Granholm et al.*, No. 20-cv-9127 (JMF)

Dear Judge Furman,

We write on behalf of plaintiffs Natural Resources Defense Council, Public Citizen, Center for Biological Diversity, Consumer Federation of America, Massachusetts Union of Public Housing Tenants, and Sierra Club (collectively “Public Interest Plaintiffs”) in the above-referenced matter.

Public Interest Plaintiffs’ motion for costs of litigation (including attorneys’ fees) is presently due on December 19, 2022. *See* Consent Decree ¶ 25, ECF No. 70. Public Interest Plaintiffs are engaged in settlement discussions with Defendants related to this issue. To allow further time to attempt to resolve these claims without motions practice, Public Interest Plaintiffs respectfully request that the Court extend the deadline for their motion for litigation costs by sixty days, to February 17, 2023.

This is Public Interest Plaintiffs’ first request for an extension of the Consent Decree’s litigation-costs deadline. Defendants consent to this request.¹ There are no other existing court deadlines or scheduled court appearances in this matter.

Sincerely,

/s/ Jared E. Knicley

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¹ Pursuant to Consent Decree ¶¶ 11, 13, Public Interest Plaintiffs also conferred with the other parties to the Consent Decree. State Plaintiffs (Case No. 20-cv-9362) and Plaintiff-Intervenors do not oppose the requested extension.

/s/ Timothy Ballo (with permission)

Timothy Ballo, admitted pro hac vice

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Consumer Federation of America, Massachusetts

Union of Public Housing Tenants, & Sierra Club

cc: counsel for Defendants, State Plaintiffs, and Plaintiff-Intervenors (via ECF)